THE HON'BLE SMT JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO.19550 OF 2007

Dated: 01.10.2007

Between:

B. Siddiramulu

..Petitioner

And

1. The State of A.P., rep., by its Secretary,
   Panchayat Raj Department, Secretariat Buildings,
   Hyderabad and others.

.. Respondents.

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THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO.19550 OF 2007

ORDER: (Per Hon'ble Smt. Justice T. Meena Kumari)

This is a writ petition filed by the petitioner seeking to declare the action of the tribunal in not passing any orders in O.A.No:5314 of 2007 as illegal and arbitrary and to call for the records pertaining to proceedings No:2078/2007/A3, dated 6.9.2007 of the 3rd respondent and declare the same as illegal and contrary to G.O.Rt.No:905, dated 29.6.2007 and G.O.Rt.No:931, dated 5.7.2007 and direct the respondents to continue the applicant as panchayat secretary at Gram Panchayat, Gopalpur, Hanmakonda Mandal.

The petitioner herein is the applicant in the above O.A. He filed the above O.A. seeking to declare the proceedings No:2078/2007/A3, dated 6.9.2007 of the 3rd respondent as illegal and contrary to G.O.Rt.No:905, dated 29.6.2007 and G.O.Rt.No:931, dated 5.7.2007 and G.O.Ms.No:479, dated 6.9.1993 and direct the respondents to continue the applicant as panchayat secretary at Gram Panchayat, Gopalpur, Hanmakonda Mandal.

Heard the learned Counsel for the petitioner and the learned G.P. for Panchayatraj and Rural Development and the learned Standing Counsel for Z.P.Ps and M.P.Ps

The main thrust of the argument of the learned counsel for the petitioner is that though the tribunal has admitted the O.A filed by the applicant, but simply directed to post the matter after one month without passing any orders, in spite of the interim relief sought by the petitioner to suspend the operation of the proceedings in question. Therefore, it is expedient in the interest of justice to pass appropriate orders.

The relief that is sought for in the main O.A. and in the present writ petition is one and the same. The approach of the petitioner is a premature one. While admitting the O.A., posting the matter for one month is nothing but an exercise to give an opportunity to the other side. On that count alone, it cannot be said that the tribunal has failed to consider the case of the applicant in granting the interim orders. Hence, We see no merits in this writ petition and the same is liable to be dismissed.

Accordingly, this writ petition is dismissed. No costs.

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Justice T. Meena Kumari

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Justice G.Chandraiah

Date: 1.10.2007
Gurc/Nn

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO.19550 OF 2007

(Order delivered by the Hon'ble Smt. Justice T. Meena Kumari)

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Dated: 1.10.2007